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MEETING
STATE OF CALIFORNIA
INTEGRATED WASTE MANAGEMENT BOARD
SPECIAL WASTE COMMITTEE

JOE SERNA, JR., CALEPA BUILDING
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APPEARANCES

COMMITTEE MEMBERS

Ms. Margo Brown, Chairperson

Ms. Rosalie Mul

Mr. Gary Petersen

BOARD MEMBERS PRESENT

Mr. Jeffrey Danzinger

Ms. Cheryl Peace

Ms. Pat Wiggins

STAFF

Mr. Mark Leary, Executive Director

Ms. Julie Nauman, Chief Deputy Director

Ms. Marie Carter, Acting Chief Counsel

Mr. Jim Lee, Deputy Director

Ms. Holly Armstrong, Staff Counsel

Ms. Kristen Garner, Executive Assistant

Mr. Mitch Delmage, Manager, Tire Management Branch

Mr. Bob Fujii, Supervisor, Remediation & Engineering
Technical Services Section

Mr. Albert Johnson

Ms. Diane Nordstrom-Lamkin

Ms. Stacey Patenaude

ALSO PRESENT

Mr. Michael Blumenthal, Rubber Manufacturers' Association

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1 PROCEEDINGS

2 CHAIRPERSON BROWN: Good afternoon, everybody. I
3 think we'll just start, just start with a little
4 housekeeping while we're waiting for Member Wiggins to
5 join us.

6 This is the November 7th meeting. Thank you for
7 the adjustments of the Special Waste Committee. There are
8 agendas on the back table. If anyone would like to speak,
9 please fill out a form and bring it up to Kristen, and you
10 will have the opportunity to speak.

11 Remind all of you to turn off your cell phones or
12 pagers if you have them.

13 Do any members have any ex partes to report?

14 COMMITTEE MEMBER MULÉ: I'm up to date, Madam
15 Chair.

16 COMMITTEE MEMBER PETERSEN: Yes, I just spoke to
17 Mike Blumenthal, but I'm up to date.

18 CHAIRPERSON BROWN: Kristen, would you call the
19 roll.

20 EXECUTIVE ASSISTANT GARNER: Mulé?

21 COMMITTEE MEMBER MULÉ: Here.

22 EXECUTIVE ASSISTANT GARNER: Petersen?

23 COMMITTEE MEMBER PETERSEN: Here.

24 EXECUTIVE ASSISTANT GARNER: Brown?

25 CHAIRPERSON BROWN: Here.

1 And I would like to acknowledge and thank Member
2 Wiggins for being here, and Member Peace.

3 On the committee agenda, Item -- Committee Items
4 B, C, F, and G have been pulled for future consideration,
5 just for your information.

6 I now will go to Mr. Lee's Deputy Director's
7 Report.

8 DEPUTY DIRECTOR LEE: Thank you, Madam chair.
9 Good morning, Committee Members. My name is Jim Lee,
10 deputy director for the Special Waste Division. Madam
11 chair, I have a couple items in my report for this
12 morning.

13 First of all, I want to kind of talk about last
14 week's asphalt rubber conference which was held down the
15 Palm Springs, actually, Palm Desert. This three-day
16 international conference drew an audience of more than 300
17 public officials and scientists from all over the world.
18 In addition to visitors from more than a dozen states and
19 16 countries, many of California's local jurisdictions
20 were represented as well as over 40 Caltrans engineers.

21 Concord provided in-depth training and education
22 of the latest developments on rubber research and
23 technology. Additionally, bus tours were conducted on
24 Friday and Saturday of tire recycling facilities and
25 rubberized asphalt concrete operations.

1 Madam Chair, we were pleased that you were able to
2 provide the opening remarks for the conference, which I
3 understand by all accounts were well received.

4 CIWMB staff also included Nate Gauff speaking on
5 asphalt rubber concrete; Stacey Patenaude on tire-derived
6 aggregate; and Boxing Cheng on China markets for
7 tire-derived products.

8 On the China issue, the attendance and involvement
9 of a large delegation from China was especially
10 noteworthy. Staff has been approached by and has been
11 trying to cultivate context with people doing business in
12 China as part of our market development activities. China
13 is the biggest developing country in the world having an
14 average economic growth of about 9.4 percent over the last
15 20 years. At least 50 million scrap tires per year are
16 expected to be needed by China for their asphalt rubber
17 pavement and road maintenance needs. And California, as
18 the gateway to the Pacific Rim has the potential to
19 address some of this unmet demand.

20 I was only able to attend one of the three days
21 because of the press of other commitments, but I came away
22 with a renewed conviction that the Board is on the right
23 track with our advocacy and the use of RAC as one of the
24 most desirable and cost-effective available options for
25 use of waste tires.

1 I had the opportunity to meet and listen to
2 representatives from MatTech [phonetic], the Board's
3 contractor on technical related issues on RAC; and
4 representatives from the Southern California Technical
5 Advisory Center, and came away impressed with the level of
6 their knowledge and expertise and their ability to be
7 effective advocates for RAC usage.

8 I also received optimistic reports from them on
9 the progress they are making as part of the Ogilvy team
10 and introducing RAC to local jurisdictions unfamiliar or
11 uneducated about its use.

12 I want to take this opportunity to thank Board
13 Member Peace for her advocacy for this conference event.
14 I will admit to initial skepticism, concern that the
15 extremely technical nature of the conference format, as
16 originally proposed, would not have wide appeal to a lay
17 audience.

18 However, by leveraging our sponsorship role, and
19 with Board Member Peace's strong support, changes were
20 made, and an additional RAC application program track was
21 developed, therefore broadening interests in and support
22 for the conference. As I've noted in my earlier remarks,
23 the end result speak for itself.

24 I also want to take this opportunity to thank my
25 staff for a job well done. Victoria Rocha, Frank Simpson,

1 and Mitch Delmage were instrumental in planning logistics,
2 and as noted earlier, Nate Gauff and Stacey Patenaude
3 contributed their unparalleled expertise to some of the
4 technical presentations.

5 And for those of you that weren't able to make it
6 to the conference and might enjoy some light reading
7 material, conference proceedings are available for your
8 use.

9 CHAIRPERSON BROWN: I have my own copy, thank you.

10 DEPUTY DIRECTOR LEE: On another matter, Madam
11 Chair, just wanted again to update you on the Sonoma tire
12 sites. I think we've been trying to keep the Board
13 appraised [sic] of this in our weekly reports, but I'm
14 pleased that progress continues to be made, you know, on
15 these sites.

16 I think we reported earlier that the tires had
17 been removed from the Universal Portfolio site, and a
18 recent inspection confirms, again, that the erosion
19 control measures are in place; that site has been buttoned
20 up for the winter.

21 Also, I have been informed, again, that Mr. Don
22 Silacci has completed the repairs to his erosion control
23 measures that were damaged with the rains last year. So
24 again, we're very pleased with that development.

25 Also, the Board staff acted very proactively with

1 regards to the Flochinni site where, again, there are some
2 tens of thousands -- I think 10 to 20 thousand I think was
3 my last count on that. But there are issues with slope
4 stability issues concerned with that. So we proactively
5 used our contractor just to do an initial preliminary
6 investigation on the depth of those tires to more
7 precisely determine the numbers and the slope stability
8 issues with regards to that. And again we completed --
9 our contractor has completed its report and we will be
10 working with Flochinni and his contractors about this in
11 upcoming weeks.

12 All in all, I think, again, things are progressing
13 very satisfactorily with regards to most of these sites,
14 Madam Chair.

15 Unless there's comments on either one of these
16 issues, I'm prepared to move into today's agenda.

17 CHAIRPERSON BROWN: Thank you, Jim.

18 I will say, the RPA conference was great, and
19 somebody who doesn't have technical experience like
20 myself, really enjoyed and found it fascinating.

21 Thank you, Cheryl, for your advocacy. You really
22 should have been there, because it would have been
23 worthwhile for you to see what actually came about after
24 all of your advocacy. I think that there were people
25 there from 48 different countries, and the next

1 conference, I believe, is in China, in three years.

2 DEPUTY DIRECTOR LEE: Yes.

3 CHAIRPERSON BROWN: So this isn't something that
4 happens annually; it's once every three years, and this is
5 only the third one ever to be held, and it was held in
6 California. So you will have to go to the next one on
7 your own though, probably, because we don't do out of
8 country travel very often.

9 BOARD MEMBER PEACE: I am just happy to hear that
10 it was a success.

11 And thank you for making the presentation and
12 opening remarks.

13 CHAIRPERSON BROWN: I think mine was the least
14 technical of all. Caltrans got pretty technical at an
15 opening. But it was good. It was very worthwhile, and I
16 think we had a lot of Caltrans participation and local
17 jurisdictions. So I wish I could have been there longer
18 as well.

19 Also, I do need to mention for the audience and
20 those listening, the Board will go into a closed session
21 at the conclusion of this committee hearing today.

22 And any other comments from Board members or
23 questions for Jim?

24 Okay. We will move to Committee Item D, Board
25 Item 3.

1 Jim?

2 DEPUTY DIRECTOR LEE: Thank you, Madam Chair.

3 Committee Item D, Board Item 3, is Consideration
4 of Scope of Work for Contract for Engineering Services
5 Regarding Civil Engineering Applications Using
6 Tire-Derived Aggregate.

7 Madam Chair, as we noted in our -- the last
8 five-year plan discussion, we viewed RAC and civil
9 engineering as being the best available options for cost
10 effectively increasing waste tire diversion in the state.

11 Kind of utilizing a baseball analogy, I think the
12 civil engineering applications in particular are kind of
13 like the home run shots. When we get -- you know, they
14 don't come that frequently as frequently as, say, a RAC
15 project, for example. But when we do get them, they
16 deliver, you know, big immediate results.

17 Large numbers of tires are utilized, and there's
18 almost invariably a cost savings that are realized right
19 from the outset.

20 We -- we -- in our item today, we are going to
21 discuss our plans, again, for increasing the Board's
22 efforts in this particular area through, you know, using a
23 Board contractor. And I will ask Albert Johnson and
24 Stacey Patenaude to kind of brief you on the details for
25 this proposal.

1 MS. PATENAUDE: Good morning, Madam Chair, members
2 of the Board.

3 (Thereupon an overhead presentation was
4 presented as follows.)

5 MS. PATENAUDE: I would like to start off this
6 item today to give a brief history of the civil
7 engineering program here at the Waste Management Board.

8 We started this program at the Board about 1998
9 with the original engineering services contract, which was
10 awarded to Dr. Dana Humphreys, who is the recognized
11 authority in the field.

12 For about the next year, Dr. Dana Humphreys and
13 myself visited numerous Caltrans districts throughout the
14 state of California to introduce TDA to the engineering
15 staff of Caltrans. It became apparent quite quickly that
16 we were going to do -- need to do something more than just
17 rhetoric to get Caltrans to try TDA and civil engineering
18 projects. We felt that if we could reduce some of
19 unknowns and the financial risks of trying something new,
20 that maybe Caltrans would give TDA a try.

21 So we made the offer to them, that if the CIWMB
22 was to purchase TDA and supply the construction oversight
23 for a selected project, would Caltrans be willing to try
24 TDA in a project. They said yes.

25 So in 2000, we awarded our first construction

1 oversight and incentives contract. With this on board,
2 Caltrans entered into a memorandum of understanding to use
3 TDA in the Dixon Landing Interchange Project which is
4 being constructed in Milpitas, California, on Highway 880.

5 --o0o--

6 MS. PATENAUE: The first project was --
7 construction started in 2000. It consisted of the
8 southbound on-ramp at Dixon Landing. The agreement was,
9 the Waste Management Board would supply all the TDA, the
10 instrumentation to monitor temperature. That was
11 obviously a concern: spontaneous combustion, settlement
12 plates, and all construction oversight. The construction
13 went without a problem.

14 --o0o--

15 MS. PATENAUE: At about eight weeks, we oversaw
16 the placement of 660,000 tires worth of TDA. Three
17 suppliers in the state of California were used. We chose
18 to help develop not only the technology but the market.
19 We wanted to use as many suppliers as possible.

20 So material came from Lakin Tire in Santa Fe
21 Springs; San Luis Obispo Chicago Trade; and Waste
22 Management -- I mean Waste Management Recovery in
23 Livermore.

24 --o0o--

25 MS. PATENAUE: The project consisted of two

1 lifts, and this is the final project. You have probably
2 driven by it and didn't even realize that it has one of
3 the larger civil engineering applications in the state of
4 California.

5 Even after the Waste Management Board purchased
6 the TDA, the State of California saved \$240,000 over using
7 conventional lightweight aggregate. As part of this
8 project, Caltrans brought in lightweight aggregate which I
9 believe they rail-hauled in from Oregon or Nevada.

10 And so we had a direct comparison of costs. This
11 material was lighter and considerably cheaper. So this
12 was a win for Caltrans, obviously. We are just waiting
13 for another project.

14 At the same time as we were working on this, we
15 were putting together ideas for the future.

16 --o0o--

17 MS. PATENAUE: We originally started the
18 contract -- we did a brainstorming session to determine
19 other applications which would be suitable in California,
20 and where any possible use could -- any possible research
21 that we could do that could help expand the TDA market in
22 California.

23 We took the known engineering properties, TDA,
24 which is lightweight, permeable, energy-absorbing, and
25 then we looked at different civil engineering problems in

1 California.

2 We came up with two areas we felt were ripe for a
3 new engineering solution. One was vibration mitigation
4 for light rail systems. Since there has been new federal
5 standards which require transit authorities to mitigate
6 vibration on new rail systems whenever feasible, the
7 second item was TDA used as lightweight backfill behind
8 retaining walls. Dr. Humphreys had done a preliminary
9 study on this option, but no real field application
10 existed.

11 --o0o--

12 MS. PATENAUE: So in 1999 we constructed a test
13 pad, down in Chicago Grade Landfill. Dr. Humphreys,
14 myself, and an acoustical engineer worked for about a week
15 to build this and then monitor the vibration dampening
16 effect of the tires. We used things like -- instead of
17 rail vehicles, we used bulldozers and monitor trucks. But
18 the same valuable information was achieved by this.

19 When everybody thinks of research, they always
20 think of, gee, how much did this cost us? From start to
21 finish with the report, this cost us about \$30,000. So it
22 was fairly cost effective. I may have almost killed my
23 consultants. It was like 107 degrees outside, but we got
24 a very good amount of data out of this.

25 From this, later on in 2000, the acoustical

1 engineer presented this data to the Valley Transit
2 Authority and San Francisco Muni. Both of them liked this
3 idea. They -- they understood the effectiveness of the
4 technology, and they also could see the cost savings.

5 --o0o--

6 MS. PATENAUE: Current technology --
7 state-of-the-art technology is called the slab and this is
8 in excess of \$800 a linear foot to put this stone in
9 place, and this is what BART currently uses. It's very
10 expensive. It's effective, but it's kind of like the
11 Cadillac of vibration mitigation.

12 Often, transit authorities can -- do not afford
13 this; they choose not to place anything down at all.
14 Therefore, the people around the tracks have to deal with
15 the vibration.

16 --o0o--

17 MS. PATENAUE: As opposed to this technology,
18 this is what TDA used in lightweight -- in vibration
19 attenuation looks like.

20 The trenches are dug about 16 inches, fabric
21 replaced. Type A TDA is placed in there. It's spread
22 out. It's compacted. And then they place the ballast
23 rock and the rail over it. VTA built this section. They
24 build four sections, approximately 2000 feet of track,
25 without any assistance from the Waste Management Board; no

1 financial aid whatsoever.

2 They chose this application because it saved them
3 money. They saved over a million dollars from it. And we
4 just completed monitoring in August of the track, after a
5 year in use. And it's continuing to perform just as we
6 wanted it.

7 Currently, the BART expansion, which is going into
8 San Jose, is looking at this technology. We've -- I've
9 talked with the acoustical engineers. And they -- we
10 actually may need to do a test track in their Hayward
11 facility to see if this meets their needs. But this could
12 save BART a considerable amount of money with their
13 current expansion.

14 --o0o--

15 MS. PATENAUDE: The second option that we saw
16 was -- a great opportunity was retaining walls. We
17 immediately started talking with Caltrans structures unit,
18 here in Sacramento, about the possibility of researching
19 using lightweight fill behind retraining walls to make --
20 to take advantage of TDA's low bearing pressure against
21 walls.

22 Dr. Humphreys had done studies on the university
23 campus in May, which shows that TDA placed behind a wall
24 could exert half to a third of the pressure.

25 So we talked Caltrans into building us a wall, and

1 we would supply the tire-derived aggregate and the
2 instrumentation.

3 --o0o--

4 MS. PATENAUE: This was the first wall which was
5 constructed in 2003. It's on Route 91, at University
6 Avenue. It's about 200 feet long. And the wall consists
7 of pressure cells, gauges, and temperature cells. Not
8 only was this a new type of wall. This was state of the
9 art as far as instrumentation. Caltrans learned a lot
10 from this wall, besides us learning about TDA.

11 --o0o--

12 MS. PATENAUE: This is it, under construction.
13 It's a very small wall when you consider the entire
14 enormity of this project.

15 --o0o--

16 MS. PATENAUE: Tires are put down on fabric, then
17 they place the soil over the top of it. It's about 68 --
18 86,000 tires were used in this project for less than
19 200 feet of TDA.

20 --o0o--

21 MS. PATENAUE: This wall was completed, I
22 believe, September of 2003. We had another wall on -- on
23 the agenda, which we are just now finishing. It took
24 quite a while to get to that point with Caltrans.

25 --o0o--

1 MS. PATENAUDE: This is wall 207. These pictures
2 were taken in September of this year.

3 The picture on the left shows part of a wall
4 that's completed and then the forms on it and then the
5 rebar in it. The -- you can't tell in this picture, but
6 that rebar is over an inch in diameter, so it's -- a huge
7 amount of steel goes into one of these walls.

8 On the picture of the right, you can see those
9 concrete blocks that are placed against the form along
10 with these sensors. This is where our temperature sensors
11 go. This whole wall is filled full of concrete, and then
12 the form is taken off and exposed as the pressure cells,
13 which you can see here.

14 We had to cover everything up with plywood,
15 because the contractors had a hard time not destroying
16 things.

17 This is one of our cabinets that we installed with
18 all the computer wear and the data loggers that are
19 reporting -- currently, right now, reporting all the data.

20 --o0o--

21 MS. PATENAUDE: This is a view from the wall, from
22 215, if you are driving down the freeway.

23 The need for these walls is, Caltrans needs more
24 lanes; there's no place to go with the freeway down there.
25 This project was -- the original cost estimates were

1 \$200 million. With cost overruns, it's approaching

2 \$300 million.

3 There are a little over four miles of wall on this
4 project alone. Our original -- our estimates with this --
5 behind this idea is that we could save a hundred thousand
6 dollars per thousand feet of wall if we can come up with a
7 new type of retaining wall design, and that's even after
8 you purchase the tires.

9 So this is not only going to use a lot of tires;
10 this will save the State of California a tremendous amount
11 of money.

12 --o0o--

13 MS. PATENAUE: This project used 15 hundred tons,
14 or 150,000 tires. The tires came from Lakin Tire, once
15 again, and Waste Recovery West in Livermore.

16 This is the completed tire cell with the fabric
17 wrapped over it, and we are still waiting for the Caltrans
18 contractor to place soil on top of this. They have just
19 started about a week ago, but they are taking their time.

20 This wall will have another retaining wall placed
21 on top -- actually, a sound wall placed on top of this.
22 But we will be gathering data for this for quite a long
23 time.

24 --o0o--

25 MS. PATENAUE: Another application -- well, I

1 should finish off with that.

2 Once the data is compiled, we will be sitting down
3 with Caltrans. Actually, the December 20th meeting is
4 already scheduled, to sit down and start doing preliminary
5 designs for the new type of retaining wall. Caltrans is
6 looking for the perfect wall for us right now. They'd
7 like a certain length, a certain height wall. But they
8 are looking for a wall that could be constructed,
9 hopefully next year, which we could try this new design
10 on, which would use less steel or concrete, whatever the
11 engineers decide would be the -- the most -- biggest cost
12 savings.

13 --o0o--

14 MS. PATENAUE: Another application that we have
15 been active in promoting is TDA and landfill gas
16 collection systems. There's two ways they do this. One
17 is that the garbage is put in place and they come back and
18 trench a trench or they auger a vertical well. Then they
19 place aggregate. Normally, we would place a two- to
20 three-inch rock in there.

21 Aggregate is getting scarcer and more expensive in
22 the state of California. So it's a valuable commodity,
23 and they have to use a lot of this in the gas collection
24 systems.

25 --o0o--

1 MS. PATENAUE: At the very same time we were
2 building wall 207, Chiquita Landfill chose to put in their
3 landfill -- another phase in the landfill gas expansion
4 system, or collection system.

5 This is a type A, which is a small material going
6 into an open trench. Lakin Tires supplied this material
7 to them. Originally we talked to the landfill and asked
8 them if they would try it. And Randy Roth was nice enough
9 to give the landfill a truckload of material to try it.
10 And they found out there was no problem using the
11 material. So they agreed to put their next phase of gas
12 collection system in using this.

13 This is an open trench system. And they found
14 that they -- they basically got about a four-to-one
15 coverage for the weight. So it was a huge cost savings
16 for them. They were able to save money because a ton of
17 tires went a lot farther than a ton of rock.

18 --o0o--

19 MS. PATENAUE: This application -- during the
20 time that this was going on, our project was being
21 constructed and then the other, I think, TDF and some
22 material going to crumb rubber facilities -- Lakin Tires
23 took no tires to Azusa Landfill. So for these two civil
24 engineering application projects, all tires stopped going
25 to Azusa for those three to six -- I guess it was about

1 six weeks.

2 So we hope to see that continue. So that was only
3 two projects.

4 --o0o--

5 MS. PATENAUE: This is another type of
6 application. This is a project that -- this is an
7 application is currently being used in Altamont Landfill.
8 This is before the next cell of garbage goes in over the
9 top of this, they basically place a type B shred, which is
10 the large shred. That's what we use behind the retaining
11 wall.

12 --o0o--

13 MS. PATENAUE: They place it down in large piles.
14 They put the perforated pipe down. They survey -- what
15 Altamont found is if they survey in these long rows, they
16 know exactly where they are so that in the future, a
17 problem with gas collection systems, you get settlement
18 and this perforated pipe shears off, and they lose gas
19 production in an area.

20 They normally have to come back and drill all
21 vertical wells in it and to continue to collect gas. What
22 they found with building these large rows of tires in this
23 survey, if they lose gas collection in one area, they can
24 literally auger down -- it's very easy to see the tires --
25 they drop a pipe into that layer of tire, and they can

1 start collecting gas again, because the tires are so
2 permeable. They don't have to put in nearly as many
3 vertical wells. So it's cheaper, and they can just use
4 this area again. So they can continue to collect from
5 that area.

6 All the tires that Shamrock Tire processes goes to
7 Altamont's gas collection system, currently.

8 --o0o--

9 MS. PATENAUE: We have numerous projects that we
10 are looking at for the future and which this contract that
11 Albert will talk about in a second would be used for.

12 One civil engineering application that has been
13 successfully used throughout the state -- I mean,
14 throughout the country, but that has not been used in
15 California, is landslide repair. California has many
16 regions that are really prone to this problem, and it can
17 be very expensive to fix it properly. I mean, you will
18 see Caltrans fixing their roads year after year after
19 year, because fixing it the right way is sometimes very
20 expensive. We are currently evaluating a number of
21 different projects that we would like to be involved in
22 next year.

23 --o0o--

24 MS. PATENAUE: The first, obviously, of the
25 future projects would be the redesign and the building of

1 our new type 1 -- Caltrans is going to call it their 1T
2 retaining wall. This is essentially what it will look
3 like.

4 We hope to be part of that next year, in which we
5 would supply the instrumentation and the tire material
6 for.

7 --o0o--

8 MS. PATENAUE: This is the first project that
9 we're looking at for landslide repair. It's in Mendocino
10 County on Marina Drive. We were just out there two weeks
11 ago, looking at this.

12 This project is an ongoing slide. It failed to
13 get FEMA funding after it slipped in January because they
14 felt it was a deep-seated slide, and it wasn't a result of
15 just that one storm. The County has asked if we can help
16 them out, and if there's a possibility, we can use tires
17 to solve this problem.

18 --o0o--

19 MS. PATENAUE: Dr. Humphreys and myself and
20 another engineer visited this site, and we believe we have
21 a very good way to go about fixing this project using
22 tires and hopefully solving this problem once and for all
23 and saving the County some money.

24 The problem is, typically they would just come in
25 and fill this with soil again, adding weight to the slide

1 which it ends up pushing down the hill again. We would
2 dig out the heavy soil, place the lightweight very
3 permeable tire-derived aggregate in there, and then place
4 the road over the top of it.

5 This has been done numerous places, and it's very
6 successful. It usually is a permanent fix.

7 --o0o--

8 MS. PATENAUE: Another application is in Sonoma
9 County. This is in the city of Jenner. The County is
10 losing one leg of this residential neighborhood due to a
11 slide. This would probably be a culmination of a small
12 retaining wall and TDA to fix this project. It's not a
13 very large one, but for the County to properly fix it,
14 since they are down here -- there's houses -- it could be
15 expensive.

16 So these projects, you see them in some of these
17 neighborhoods, and they sit there for a very long time.

18 --o0o--

19 MS. PATENAUE: So this is a project that we also
20 are going to talk to Sonoma County about possibly
21 attempting to fix.

22 --o0o--

23 MS. PATENAUE: This is a project that, to our
24 surprise and delight, Caltrans contacted about us about it
25 on Monday. This is a project on Highway 101, near

1 Redcrest, on the Eel River. Once again, it's a slide that
2 they've actually closed two lanes of Highway 101 due to
3 the slide.

4 They -- their engineers have actually recommended
5 using tire-derived aggregate on their own, and they've
6 drawn this up. They came to us, asking if we could supply
7 assistance as far as construction assistance for the
8 installation of this. This project is slated to be
9 constructed in 2008. And this would be kind of a
10 combination retaining wall and a slide project. And it
11 would probably be the first application like this.

12 The nice thing is that Caltrans engineers
13 recognized the characteristics of TDA and identified this
14 project all on their own.

15 That pretty much sums up my presentation.

16 If you have any questions, I would be happy to
17 answer them. If not, Albert can present the item.

18 CHAIRPERSON BROWN: Thank you very much. I
19 appreciate that, Stacey. Very thorough.

20 Does anybody have any questions?

21 COMMITTEE MEMBER PETERSEN: No, I would just like
22 to say amazing. Very creative. Good stuff, Stacey. You
23 guys are great.

24 BOARD MEMBER PEACE: Looks like we've come a long
25 way when Caltrans would come to us with a project they

1 want to do -- you know, TDA project they want to do.

2 MS. PATENAUE: Something that was surprising is
3 that at the AR conference, we had people from Portugal,
4 Spain, and I've had people from France call us to get
5 information from studies we have done. Vibration
6 mitigation will probably be used all over the world,
7 because it is so cost effective.

8 But Spain talked with me for over an hour, and
9 they are trying to develop their own civil engineering
10 program and they didn't know how to overcome the hurdles
11 that we are still overcoming. But you know, we haven't
12 gotten there, but we are a lot farther along than a lot of
13 people in the world. And most people understand that this
14 is one of the most cost effective reuses for large
15 quantities of tires. So this is just the start.
16 Hopefully this will solve the tire problem in California.

17 CHAIRPERSON BROWN: Is there any outreach to the
18 private sector railroad community with the vibration
19 mitigation information?

20 MS. PATENAUE: Yes. Our consultant, Wilson Eric,
21 just completed the study. They are finishing the final
22 report. We will ask them to publish in a transportation
23 journal. And then there is a large transportation
24 conference every year. They will present their findings
25 at that conference.

1 CHAIRPERSON BROWN: Great. Very good.

2 Congratulations.

3 I guess we'll go to Albert, then.

4 MR. JOHNSON: Good afternoon, Madam Chair, members
5 of the committee, and Board members that are present.

6 This item is for Approval of the Scope of Work for
7 Continued Use of TDA and Civil Engineering Applications.

8 This contract will supplement our efforts on the
9 projects that Stacey's just identified here, that we have
10 upcoming in the future. Currently, we have a contract
11 with SCS engineers. That doesn't have enough funding for
12 these future projects that we have identified. It appears
13 we need about \$400,000 based on our estimates to complete
14 these projects, and we have about 350,000 available.

15 And the SCS contract will expire May 2008.
16 Although this contract has the flexibility to work with
17 various public agencies and municipalities of Caltrans, we
18 want to focus our efforts on the counties that don't have
19 sufficient funding to repair their landslides, like these
20 couple of projects that Stacey's pointed out. Most of
21 those are rural counties, so we're going to focus on them.

22 And if the Board approves the scope of work, an
23 RFQ will be issued probably in a month or two, and we'll
24 be back in the springtime, 2007, for approval of the
25 contract.

1 This contract is for a total of a million and a
2 half dollars of 06/07 funds as identified in the Five-Year
3 Plan.

4 And staff is recommending approval of Resolution
5 2006-208.

6 If you have any questions, I would be happy to
7 answer them.

8 CHAIRPERSON BROWN: I do.

9 Does anybody else?

10 COMMITTEE MEMBER PETERSEN: Yeah, I have some.

11 CHAIRPERSON BROWN: I will let Gary start.

12 COMMITTEE MEMBER PETERSEN: Okay. We got
13 1.5 million in this? And this is just for one contractor
14 that's going to do this?

15 MR. JOHNSON: Yeah.

16 COMMITTEE MEMBER PETERSEN: Now, are we limited in
17 the use of materials, buying materials to do these
18 projects? Is there a limitation?

19 MR. JOHNSON: Do you mean --

20 COMMITTEE MEMBER PETERSEN: I mean, for buying,
21 like, TDA.

22 MR. JOHNSON: Yeah, we would use these funds to
23 buy TDA. We have that -- that's one of the options. We
24 can buy TDA. We can do some design work if we need to
25 with this contract, although the SCS contract will do most

1 of that.

2 COMMITTEE MEMBER PETERSEN: So we're not limiting
3 ourselves with the Five-Year Plan with the one contractor?
4 That's one of my questions.

5 MR. JOHNSON: No.

6 COMMITTEE MEMBER PETERSEN: Okay. Great. Thank
7 you.

8 CHAIRPERSON BROWN: This is an 06/07 allocation.
9 Is there an additional allocation line-itemed for 07/08
10 also? I read that this is an annual allocation of. So is
11 there another allocation that would come next year as
12 well?

13 DEPUTY DIRECTOR LEE: Yeah, I will ask my staff to
14 correct me if I'm wrong, here, but, yes, there is an
15 additional allocation. But this is one of the ones where
16 you want to see how it works out. You know, there was an
17 original thought about trying to do this as a grant
18 program. Again, as we tried to make clear in the item, we
19 think it's still a little premature for grant programs in
20 the local jurisdictions for these projects. We would like
21 to keep and maintain control over them during this
22 particular period, and feel we can best accomplish that
23 through the use of contractor.

24 So that's one of the reasons why we didn't, you
25 know, try and bundle in both years' allocations. But we

1 can come back to the Board subsequently for future year
2 allocations to allocate those.

3 CHAIRPERSON BROWN: Well, my question is, and it
4 alludes a little bit to it in here, and Albert, the SCS
5 contract has about 400 thousand left in it, or 350?

6 MR. JOHNSON: About 350, yeah.

7 CHAIRPERSON BROWN: And these applications for
8 these projects are projected just over that. And I'm
9 wondering why we're allocating the full \$1.5 million to
10 this one contract when we don't even anticipate that we're
11 going to need even half of that.

12 And would that tie our hands and encumber these
13 funds for an enormous amount of time, that this contract
14 is going to go until -- is this the May 2008 or SCS is May
15 of 2008? When would this -- this contract would be
16 encumbering these funds into '09.

17 MR. JOHNSON: That's correct. But we also
18 anticipate having additional projects. These are just
19 projects that have come up right now.

20 CHAIRPERSON BROWN: Right.

21 MR. JOHNSON: In the next year or two, we should
22 have additional projects to spend more on funding.

23 CHAIRPERSON BROWN: Well, I guess -- I guess my
24 question, and, you know, any or all three of you could
25 probably answer is, we're looking at a variety of new

1 applications. My concern, and it's not an enormous
2 concern, but we are encumbering a million-five. Are we
3 limiting ourselves not knowing if we want these funds to
4 be directed to another kind of program between now and
5 '09.

6 TIRE MANAGEMENT BRANCH MANAGER DELMAGE: Madam
7 Chair, may I approach?

8 CHAIRPERSON BROWN: Mitch?

9 TIRE MANAGEMENT BRANCH MANAGER DELMAGE: Mitch
10 Delmage, manager for the tire program.

11 In the Five-Year Plan, next year, under this line
12 item, we have available 2.5 million. In addition to that,
13 we'll be going through the Five-Year Plan reallocation --
14 the biennial review this spring, and so we can look again
15 at how these funds are distributed.

16 I believe, and perhaps legal can correct me if I'm
17 wrong, if next year we run out of projects, could that
18 money -- that money cannot be reallocated because it's
19 06/07 money; is that correct?

20 STAFF COUNSEL ARMSTRONG: These funds would have
21 to be encumbered to either a grant or contract by
22 June 30th, 2006. So --

23 CHAIRPERSON BROWN: Right.

24 STAFF COUNSEL ARMSTRONG: So if they are
25 encumbered to this contract by June of -- June of '07, I'm

1 sorry. June of '07, then they won't be able to be
2 reallocated to something else after that.

3 CHAIRPERSON BROWN: Thank you, Holly. I
4 understand that.

5 I'm wondering whether we want this one contract or
6 whether we want this broken up into two contracts, the
7 encumbered that give you a little bit more flexibility.
8 I'm just wondering why we're throwing all the money in one
9 pot. I think it seems just like it's the easier route
10 rather than maybe -- I don't know.

11 MS. PATENAUE: The other option we have is to do
12 a grant program. I think the idea behind not doing grants
13 right now is so few people understand the material. We'll
14 be getting some very bizarre requests for tires and all
15 sorts of applications.

16 I think the 1.5 was allocated for civil
17 engineering applications, originally we thought we would
18 try grants and a smaller civil engineering incentives
19 program. And then we -- as we have been going out in the
20 last year, talking to more and more counties, we realized
21 that it just wouldn't -- it just wouldn't be subscribed.

22 With this application, we almost have the ability
23 to -- to treat this like a grant. I mean, we talk with
24 the county; we evaluate the projects. We see projects
25 that are not only just beneficial to the county, but

1 beneficial to us in the region.

2 So I think we have -- there's a number of other
3 projects that we didn't put down that I think we could be
4 involved with, that will go well beyond the \$400,000. I
5 know that we just found out on Thursday that BART's
6 talking about using this material. And so if they need
7 construction oversight or assistance with that, that
8 was -- that was something we would like. And we would
9 also like to talk with a number of the other light rail
10 facility -- I mean transit authorities throughout
11 California.

12 Now that the final report -- a lot of people will
13 wait for the final report before they would jump in to use
14 this.

15 COMMITTEE MEMBER PETERSEN: So your guess is that
16 we'll have enough projects in the hopper, that this isn't
17 going to be a problem?

18 MS. PATENAUDE: That's our plan. And our projects
19 come and go. I mean, on Friday we had another project
20 that would have been almost a \$500,000 project up in
21 Humboldt that we thought we -- I pulled the slides out
22 today. And we talked with them and after -- it's near the
23 coast. And after they saw the little fiasco with tires in
24 Florida, they said, "We don't want any tires near our
25 coast," so we said, "Okay." I mean it's a totally

1 different application. It's not a reef, but it's on a
2 hillside, up near a scenic drive. And the County just
3 said, "It's not a good time for us." So I mean, that
4 project was here on Friday, and today it's not. And they
5 come and go like that.

6 And like I said, on Monday, the Monday before, we
7 didn't have a project with Caltrans. And they called and
8 we added this slide. So they come and go very quickly.
9 And once we go out and evaluate them, the current concern
10 is, if we work with counties, they have very short
11 turnarounds. I'm working with Caltrans on projects that
12 will be five years from now in construction, but counties
13 typically, "Can we build this tomorrow."

14 And if we have to wait for two fiscal years, then
15 what they will do is they'll just go back and pour dirt
16 into the hole and then wait for it to fail some other
17 time.

18 And so I think the idea was to treat this kind of
19 like a --

20 CHAIRPERSON BROWN: Right. Well, in the
21 contracts -- or the allocations overlap.

22 MS. PATENAUE: Exactly.

23 CHAIRPERSON BROWN: Once you sign a contract, it
24 goes over when the next one will actually begin.

25 MS. PATENAUE: Correct.

1 CHAIRPERSON BROWN: I just wanted to hear you guys
2 respond to, are you going to use this? Is it going to be
3 needed? And you know, are the funds just going to revert
4 back because we weren't able to expend all of these or
5 look at allocations to other projects in this timeframe.

6 DEPUTY DIRECTOR LEE: Madam Chair, we're very
7 sensitive to this need. We realize, in past years there
8 have been some funds from this line item that haven't
9 reverted. However, again, as I tried to allude in my
10 opening remarks, again, we feel this is a good strategy.
11 It's, again, a home run strategy; it's infrequent. You
12 know, we get the projects; there's big payoff. You know,
13 we see a momentum building, you know, for these civil
14 engineering projects, and we feel it's very desirable for
15 us to be ready to respond to that.

16 It's another agenda item, but again, just to kind
17 of point to the fact that, again, we are very attuned to
18 this issue, again, about not encumbering funds that we may
19 not need. That's one of the reasons I pulled the
20 discussion for the short-term remediation, because I
21 wanted to reassure myself that we had -- you know,
22 basically we're going to have needs for the all the funds
23 that we are requesting.

24 So in this particular situation, this is -- we
25 view this differently. And we feel that we need to, like

1 I said, be proactive, to think ahead, and be ready to
2 react.

3 So Bob, is there anything else you wanted to add
4 on this?

5 REMEDIATION & ENGINEERING TECHNICAL SERVICES
6 SECTION SUPERVISOR FUJII: No. Just to reiterate that, I
7 think the program, the way it's been run, we were
8 anticipating, like Stacey said, to be ready to do what --
9 where we were in our RAC program, which is much further
10 along than this program, to be giving grants to local
11 governments and be fully engaged in the process and
12 helping us promote the material. But we are not quite
13 there yet; we still have some work to do.

14 I think that our approach that we have been using
15 has been relatively successful. You know, we're not here
16 today to tell you we've got every single stitch of money
17 encumbered in that 1.5, but we are fairly confident that
18 those projects are certainly forthcoming. This provides
19 us a maximum flexibility to promote the Board's program in
20 this area. And I think it would continue to be successful
21 if the Board chose to go ahead and approve the contract as
22 it is.

23 CHAIRPERSON BROWN: Thank you.

24 Any other questions?

25 We have one speaker on this item.

1 Michael Blumenthal.

2 MR. BLUMENTHAL: Good morning, Madam Chair, and
3 Board Members. My name is Michael Blumenthal.

4 I'm here to add on to what was already talked
5 about and give a little bit different perspective of
6 things.

7 In addition to all the projects we are currently
8 working on, what Stacey did not mention was that the Waste
9 Board gave grants years ago to create five reports on use
10 of tire shreds in landfill applications. I know this --
11 I've used these reports to create a educational training
12 course on use of tires, for instance, in landfill
13 applications. Pulled it right from these reports.

14 I mean, you've put the investment in these things
15 years ago, and you've never followed up on them. I think
16 one of the things I would recommend is -- well, tire is
17 going to landfills now, anyway -- working with the
18 landfills to show them that tire is coming in, and can do
19 more than just go into a hole in the ground. They can
20 still get their TIF fee. They use them on site. They can
21 use them for ADC; they can use them for backfill on gas
22 pumping systems, leachate liners.

23 I mean, there are five different applications, and
24 that would help to divert tires from the landfills from
25 actually going into -- going into air space to be used in

1 civil engineering applications. It's ready made. We
2 already have training courses. I would be happy to give
3 it to you all since you paid for it anyway. I just made
4 use of it. But it is certainly out there.

5 And since you do have 10 million tires or so going
6 to landfills, and they need this material anyway, and the
7 cost of rock is going up, cost of clean fill is going up,
8 it makes all the sense in the world to put together an
9 outreach program directed at landfill management, public
10 and private sector, on training them on how to use the
11 materials that are already on site.

12 Ms. Mulé?

13 COMMITTEE MEMBER MULÉ: Michael, I think they
14 already are.

15 MR. BLUMENTHAL: They are.

16 COMMITTEE MEMBER MULÉ: There are a number of
17 landfills using them.

18 MR. BLUMENTHAL: They are. But certainly, I think
19 this can be expanded.

20 COMMITTEE MEMBER MULÉ: As in all these
21 applications. That's what we are trying to do. That's
22 what Stacey and staff have been working so diligently on
23 is to develop the track record.

24 MR. BLUMENTHAL: Well, I think that part of the
25 problem we face in here is that you have the non-invented

1 syndrome "hard at work." The work that's been done by
2 Dr. Humphrey around the country as well as all the other
3 universities and all the other projects out there, there
4 are over 200 reports out there on civil engineering
5 applications. All of -- with the exception of all the --
6 landslide and the vibration dampening, all these other
7 projects have been done elsewhere around the country.

8 Right now, we got a grant from EPA under the
9 Industrial Resources Council to put together a toolkit on
10 the use of -- our focus is on industrial byproducts, and
11 tire shreds are one of the interests. Byproducts, I'm
12 putting together a toolkit and I'm taking all of these
13 reports -- the Dixon Landing report, the Air Emission done
14 on the flying particles as part of the environmental work.

15 I want to have this done by June of next year.
16 And we're going to start using this as a training tool.
17 And the irony is half of my materials are going to be
18 taken from here in California and yet you won't have a
19 defined training program that uses the same material.

20 What I want to suggest is for you not to treat --
21 not to consider the grant program as a tool to encourage
22 people to use tire shreds and civil engineering
23 applications. I think you're going to fall in the same
24 kind of situation you have with -- with RAC. It's being
25 done whether you are going to get paid for it or not.

1 And I think in the case of civil engineering, what
2 I'm hearing here is that people are aware of it. They are
3 starting to hear more about it; they don't know that much
4 about it. So rather than offer them a grant to go ahead
5 and use this, get a training course. If they can save a
6 million dollars a project, \$250,000 on a project -- how
7 many dollars per mile, Stacey, on -- on a retaining wall?
8 I mean, on the lightweight backfill?

9 MS. PATENAUE: We estimate a hundred thousand
10 dollars per a thousand feet of wall.

11 MR. BLUMENTHAL: This is certainly good. And if
12 you go to them with that kind of -- with that kind of
13 approach saying these are tire shreds that are going to
14 save you money and it's going to give you engineering
15 benefits that you need anyway, let me educate you on this.
16 And let -- let the education tool be -- be your major
17 thrust.

18 I think that would get them up and running and
19 then they can go buy this on the open market by
20 themselves, and that would help to -- to -- to drive down
21 some of the TIF fees. Because if it's a higher demand for
22 tires, they can get the money in the back end, TIF fees
23 can go down, supply and demand curves, we start pulling
24 tires -- we start diverting more tires from landfills.

25 I think that is a critical component -- a market

1 aspect of it.

2 CHAIRPERSON BROWN: Thank you.

3 MR. BLUMENTHAL: I also think you have to go to
4 some of the county organizations. California Association
5 of Counties has an annual event. Go to them, have
6 programs there, and just keep educating them. I think
7 that's the most effective tool that you have right now.

8 CHAIRPERSON BROWN: Thank you. I appreciate your
9 comments, Mike.

10 Any other questions from the Board members?

11 Do we have a motion?

12 COMMITTEE MEMBER MULÉ: Madam Chair, I would like
13 to move resolution 2006-208.

14 I just want to make sure that it says
15 "Consideration of the scope of work," and then at the
16 bottom of the resolution, under the "Now therefore it be
17 resolved," the titles are a little bit different.

18 Is there a reason for that? I just want to make
19 sure that --

20 MR. JOHNSON: I guess we can change that so it
21 matches the title.

22 COMMITTEE MEMBER MULÉ: I mean, is there -- I
23 guess you should go to legal and find out if there's a
24 problem with that as it currently reads.

25 STAFF COUNSEL ARMSTRONG: We can -- we can modify

1 it to match the title of the item.

2 CHAIRPERSON BROWN: In both paragraphs? In both
3 places?

4 STAFF COUNSEL ARMSTRONG: Right.

5 CHAIRPERSON BROWN: Okay. So that's a 2006-208
6 Revised to reflect the changes that legal will make to
7 that resolution.

8 Is there a second?

9 COMMITTEE MEMBER PETERSEN: I will second that.

10 CHAIRPERSON BROWN: Okay. It's been moved by
11 Member Mulé and seconded by Member Petersen.

12 Can you call the roll?

13 EXECUTIVE ASSISTANT GARNER: Mulé?

14 COMMITTEE MEMBER MULÉ: Aye.

15 EXECUTIVE ASSISTANT GARNER: Petersen?

16 COMMITTEE MEMBER PETERSEN: Aye.

17 EXECUTIVE ASSISTANT GARNER: Brown?

18 CHAIRPERSON BROWN: Aye.

19 Thank you both. You will be here for the next as
20 well.

21 Jim, next item?

22 DEPUTY DIRECTOR LEE: Thank you, Madam Chair.

23 Committee Item E, Board Item 4, is Consideration
24 of the Eligibility Criteria, Ranking Criteria, and
25 Evaluation Process for the Local Government Waste Tire

1 Cleanup and Amnesty Event Grant Program.

2 Diane Nordstrom will make the staff presentation.

3 CHAIRPERSON BROWN: Thank you.

4 Diane?

5 (Thereupon an overhead presentation was

6 presented as follows.)

7 MS. NORDSTROM-LAMKIN: Good afternoon, Madam

8 Chair, and members of the Board.

9 Last year, the Board approved combining a local
10 government waste tire cleanup grant program and the
11 Amnesty Event Grant Program into one program to streamline
12 the grant award process. This item presents the
13 eligibility criteria, ranking criteria, and evaluation
14 process for the combined programs for the next two fiscal
15 years.

16 --o0o--

17 MS. NORDSTROM-LAMKIN: The local government waste
18 tire clean up program provides funding to local
19 governments for the removal or transport and recycling or
20 disposal of waste tires that have been illegally dumped
21 throughout their community.

22 The Amnesty Event Program provides funding to
23 local governments for collection events, which allow
24 citizens to bring waste tires to convenient locations for
25 proper management.

1 --o0o--

2 MS. NORDSTROM-LAMKIN: At the May 11th, 2005,
3 Board meeting, the Board allocated \$1 million for the
4 waste tire cleanup program for both fiscal year 2006 and
5 2007, and 2007/2008; and 1,750,000 for the Waste Tire
6 Amnesty Event Program for fiscal year 2006/07; and
7 1 million for fiscal year 2007/08.

8 As of last year's grant cycle, Board staff is
9 recommending that if one program is under-subscribed,
10 remaining funds may be used to fund the other program, if
11 needed. And to assure that rural jurisdictions receive
12 the adequate funding for amnesty events, staff is
13 proposing to set aside 25 percent of the funding to
14 jurisdictions located in rural counties.

15 Board staff is recommending a maximum grant award
16 of \$50,000 dollars per site or \$200,000 per applicant for
17 waste tire cleanup projects, and a maximum amount of
18 \$25,000 per applicant and \$75,000 per joint applicant for
19 amnesty events.

20 --o0o--

21 MS. NORDSTROM-LAMKIN: Eligible applicants are
22 local governments which include local enforcement
23 agencies, county and city departments, code enforcement
24 agencies, and federally recognized California Native
25 American tribes.

1 Eligible projects for the waste tire cleanup
2 program include the removal of waste tires along public
3 roadways and from sites on private property that are not
4 eligible for the farm and ranch grant program.

5 Eligible projects for waste tire amnesty events
6 include collections events that will allow the public to
7 bring their waste tires to convenient locations for proper
8 disposal. However, only the cost of collection,
9 transportation, and disposal or in use of waste tires will
10 be eligible for reimbursement under the amnesty program.

11 The applicant's staff time for oversight, public
12 education, and advertising costs for amnesty events will
13 not be eligible for -- as an expense for the grant.

14 --o0o--

15 MS. NORDSTROM-LAMKIN: For the evaluation process,
16 Board staff is recommending that no changes be made to the
17 ranking criteria used to evaluate applicants for the waste
18 tire cleanup and amnesty event programs.

19 Projects for the clean up and grant -- cleanup
20 grant program will continue to be ranked based on their
21 potential threat to public health and safety and the
22 environment. And amnesty events will be ranked on their
23 cost per tire for collection, transportation, disposal, or
24 in-use of waste tires.

25 If two or more applicants have both an equal cost

1 per tire and a waste tire enforcement grant in place, then
2 the applicant that has the highest funding match for
3 oversight, public education, and advertisement of an
4 amnesty event will receive a higher ranking.

5 Approval of this item will also direct staff to
6 prepare a notice of funding availability for this fiscal
7 year, which will be distributed to local governments and
8 California Native American tribes.

9 This concludes my presentation.

10 CHAIRPERSON BROWN: Thank you, Diane.

11 Any questions?

12 Gary?

13 COMMITTEE MEMBER PETERSEN: Yes, I was wondering,
14 in your evaluation process you have the eligibility
15 requirements.

16 Is there a recycled purchasing requirement --
17 recycled content purchasing requirement in this?

18 MS. NORDSTROM-LAMKIN: No. They don't -- for
19 either program, they don't really purchase materials.
20 It's all cleanup and collection costs.

21 COMMITTEE MEMBER PETERSEN: There's no purchase of
22 anything that they do?

23 MS. NORDSTROM-LAMKIN: Since we don't cover the
24 brochures and stuff like that, there's not a requirement,
25 because we don't fund that expense.

1 COMMITTEE MEMBER PETERSEN: Okay.

2 ACTING CHIEF COUNSEL CARTER: Excuse me. Marie
3 Carter; senior staff counsel.

4 This grant is a little different from the usual
5 grants that you see. The Board had exempted this
6 particular grant program from the usual standard criteria.
7 And so they -- the Board did not include recycled content
8 products as a requirement of this program. That's not to
9 say that the Board couldn't do that.

10 COMMITTEE MEMBER PETERSEN: I would just going to
11 say. Isn't there a way we could do that?

12 DEPUTY DIRECTOR LEE: Mr. Petersen, as Diane
13 mentioned, again, they're not really purchasing much here;
14 you know, they are cleaning up tires. So the recycled
15 purchasing policy is, you know, is not directly, you know,
16 pertinent to this particular grant program.

17 COMMITTEE MEMBER PETERSEN: Thank you.

18 BOARD MEMBER PEACE: I guess, of course, on the
19 other hand, we're trying to encourage all jurisdictions to
20 have a recycled content procurement policy in place for
21 their office supplies or whatever. I guess it would seem
22 like we might want to have something like that just to
23 encourage all jurisdictions, that are asking for our
24 money, to have something like that in place.

25 DEPUTY DIRECTOR LEE: It's obviously Board's

1 pleasure.

2 CHAIRPERSON BROWN: What was the reason for it
3 being taken out in the first place, by the Board? Maybe
4 we need a history as to when --

5 (A fire drill took place.)

6 CHAIRPERSON BROWN: Wasn't that fun? Looks like
7 everybody that needs to be here is here, and more.

8 Okay.

9 Why don't we start by re-calling the roll. We had
10 a brief fire drill to see if everybody knew where the
11 exits were. We'll do a quick roll call.

12 EXECUTIVE ASSISTANT GARNER: Mulé?

13 COMMITTEE MEMBER MULÉ: Here.

14 EXECUTIVE ASSISTANT GARNER: Petersen?

15 COMMITTEE MEMBER PETERSEN: Here.

16 EXECUTIVE ASSISTANT GARNER: Brown?

17 CHAIRPERSON BROWN: Here.

18 And we are also again joined by Member Wiggins and
19 Peace.

20 And I hear whispering in the hall from Member
21 Danzinger.

22 Any ex partes to report? Nobody talked to Michael
23 out there?

24 Mr. Lee, I think we had a question on the floor.

25 DEPUTY DIRECTOR LEE: Yes, we did, Madam Chair.

1 Let me see if I can come up with a response on
2 this. Both the amnesty day and the local waste tire
3 cleanup programs have been historically under-subscribed
4 programs.

5 A couple of years ago, in consideration of this
6 and other things, the Board, you know, basically decided
7 to simplify the grant application process. Part and
8 parcel of that, especially as it relates to several
9 tire-related programs, was the elimination of a lot of
10 general program criteria including the recycled content
11 policy as part of a scoring process. Indeed, as you
12 noted, the scoring for this, you know -- for this -- these
13 grant programs, I proposed, are relatively straight
14 forward.

15 CHAIRPERSON BROWN: Okay. And simple.

16 DEPUTY DIRECTOR LEE: And simple, yes.

17 So again, we think the -- the Board's direction,
18 as set forth, with a simplification, is being addressed
19 and conceded as proposed.

20 If there is, you know, still a desire to kind of
21 reconsider this, we would suggest that we would see how
22 the grant cycle goes for this year, see if we still
23 continue to be under-subscribed. And perhaps if we
24 aren't, then we can consider additional requirements over
25 and above the ones that we are suggesting, after we

1 have -- after we review our experience, you know, with
2 getting the money successfully out the door this year.

3 CHAIRPERSON BROWN: Might I suggest and see if
4 this appeals to the other members that are here, that
5 knowing of the Board's desire to have environmental
6 preferable purchasing policies in place, we indicate that
7 in this grant cycle, that the Board is desirous of each
8 jurisdiction having this in place and encouraging them
9 during the next year to work towards adopting one, because
10 that may be a criteria as we go forward, in future grant
11 cycles.

12 So if we can get the money out the door this year,
13 we actually can give them a long heads-up to work towards
14 an EPP policy that could be in place for an application
15 cycle next year, if we decide to evaluate where the grants
16 are and whether they were under-subscribed or over
17 subscribed, and then move forward with that.

18 DEPUTY DIRECTOR LEE: I like the idea, Madam
19 Chair. We can do that.

20 CHAIRPERSON BROWN: Does that work?

21 COMMITTEE MEMBER PETERSEN: I'm all for it.

22 COMMITTEE MEMBER MULÉ: I agree. Thank you, Madam
23 Chair.

24 CHAIRPERSON BROWN: In consultation, actually,
25 with Member Mulé, as we walked out the door and down the

1 street, and over to Starbucks. So thank you for the
2 suggestion.

3 COMMITTEE MEMBER MULÉ: Thank you, Madam Chair.

4 The other thing, though, is that I just want to
5 make mention of this, that as many of you know, I had an
6 opportunity to work with jurisdictions directly in a
7 previous life. And while many jurisdictions may not
8 necessarily have a recycled content purchasing policy in
9 place, they are implementing many of those aspects of that
10 policy.

11 They -- some of them just -- some of the
12 jurisdictions just prefer not to have a policy in place,
13 but they are doing those very things that we -- that we
14 call EPP.

15 So I just want to make sure that everyone here
16 understands that or at least knows that, that while they
17 don't have a policy in place, they are -- many cities and
18 counties are implementing environmentally preferable
19 purchasing policies without having a formal policy.

20 Thank you, Madam Chair.

21 CHAIRPERSON BROWN: Thank you.

22 Member Peace?

23 BOARD MEMBER PEACE: I think that raised the
24 question that's come up several times on whether we want
25 to consider as a Board to make -- having a procurement

1 policy, whether there's formal or not, and other
2 environmental -- and encourage other environmental
3 practices as, you know -- in each scoring criteria, can we
4 make it -- consider to make it an eligible criteria across
5 the board? So if any of these jurisdictions want our
6 money, then they need to show what things are -- what
7 recycled content things they are buying, what are the
8 things that they -- environmental practices that they
9 are -- that they are doing, in order to apply from and
10 encourage this.

11 CHAIRPERSON BROWN: Well, I think that was
12 somewhat addressed in Mr. Lee's comments, that when we
13 reviewed this particular grant program, the Board
14 determined -- and I wasn't here, obviously. I don't know
15 if this was during your tenure.

16 Since it was under-subscribed, the criteria and
17 eligibility was changed in order to get this money out the
18 door. So we were loosening the requirements in order to
19 allow a higher and better use for the funds of cleaning up
20 the tires rather than not getting the tires cleaned up
21 because they didn't have an EPP or weren't able to. But I
22 think that's a discussion that can happen.

23 BOARD MEMBER PEACE: It's been brought up in,
24 like, some of our other solid waste clean up programs too.

25 But I think the Board has come along, over the

1 years, that in trying to encourage these jurisdictions to
2 buy more recycled products, to lay more RAC rows, to do
3 more environmental preferable things like requiring grass
4 recycling or that we say, okay, you have to show that you
5 are doing some of these things to even apply for our
6 money, whether it -- like Board Member Mulé said, whether
7 it's a formal policy or not, they can still list out these
8 things that --

9 CHAIRPERSON BROWN: They can demonstrate their
10 commitment.

11 BOARD MEMBER PEACE: They can demonstrate their
12 commitment to the environment to buying recycled, to then
13 apply for any of our money in the first place. I know
14 that's a bigger discussion that I would sure like to have.

15 CHAIRPERSON BROWN: Member Petersen?

16 COMMITTEE MEMBER PETERSEN: I like this idea too.
17 Because that's what we do; that's what this is all about.

18 I just have one other comment. If it's
19 under-subscribed, why can't we move the money over to the
20 reuse program? How's that?

21 BOARD MEMBER PEACE: The tire money. It would be
22 nice if we could --

23 COMMITTEE MEMBER PETERSEN: Don't you think?

24 DEPUTY DIRECTOR LEE: Well, I think I hear Board
25 Member Peace articulating the argument for that.

1 But again, if money isn't used in the program
2 obviously it does go back into the tire reallocation
3 process for use in other tire-related programs.

4 COMMITTEE MEMBER PETERSEN: I was just trying to
5 help.

6 CHAIRPERSON BROWN: That would be a statutory
7 change. Reallocation of funds. Unfortunately tire funds
8 have to be used on the tire programs.

9 Do we have a motion?

10 COMMITTEE MEMBER MULÉ: Madam Chair, I would like
11 to move Resolution 2006-188.

12 COMMITTEE MEMBER PETERSEN: I will second that.

13 CHAIRPERSON BROWN: It's been moved by Member Mul
14 and seconded by Member Petersen.

15 Kristen, can you call the roll?

16 EXECUTIVE ASSISTANT GARNER: Mulé?

17 COMMITTEE MEMBER MULÉ: Aye.

18 EXECUTIVE ASSISTANT GARNER: Petersen?

19 COMMITTEE MEMBER PETERSEN: Aye.

20 EXECUTIVE ASSISTANT GARNER: Brown?

21 CHAIRPERSON BROWN: Aye.

22 Can we put that on consent and the previous item
23 on consent as well.

24 Any other Special Waste Committee business?

25 Comments?

1 We will adjourn to closed session of this Board

2 and -- oh, Michael --

3 The other one is dated 2003.

4 BOARD MEMBER PEACE: Oh, that was just an example.

5 Okay. Never mind.

6 CHAIRPERSON BROWN: I saw that too, and I was,

7 like, what is this? I saw the date on it.

8 We did have a speaker. Mr. Blumenthal, did you

9 have anything you wanted to add. No?

10 Thank you.

11 We will move to closed session at this time and

12 adjourn directly from closed session.

13 Thank you, all.

14 (The Board recessed into closed session.)

15 (The California Integrated Waste Management

16 Board, Special Waste Committee meeting

17 adjourned at 3:30 p.m.)

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1 CERTIFICATE OF REPORTER

2 I, KATHRYN S. KENYON, a Certified Shorthand Reporter
3 of the State of California, do hereby certify:

4 That I am a disinterested person herein; that the
5 foregoing California Integrated Waste Management Board,
6 Special Waste Committee meeting was reported in shorthand
7 by me, Kathryn S. Kenyon, a Certified Shorthand Reporter
8 of the State of California, and thereafter transcribed
9 into typewriting.

10 I further certify that I am not of counsel or
11 attorney for any of the parties to said meeting nor in any
12 way interested in the outcome of said meeting.

13 IN WITNESS WHEREOF, I have hereunto set my hand this
14 15th day of November, 2006.

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